

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

October 20, 2011

Lyle W. Cayce
Clerk

No. 09-20111
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ERIC SYKES HAMPTON,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:96-CR-187-1

Before REAVLEY, SMITH, and PRADO, Circuit Judges.

PER CURIAM:*

Eric Sykes Hampton, formerly federal prisoner # 72874-079, appeals from the district court's decision denying his motion to modify his sentence under 18 U.S.C. § 3582(c)(2). While his appeal was pending, Hampton was released from prison. Thus, his appeal is DISMISSED as moot. *See United States v. Booker*, 645 F.3d 328, 328 (5th Cir. 2011); *United States v. Boston*, 419 F. App'x 505, 506 (5th Cir. 2011).

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.